

II. Remarks/Arguments

A. Remarks.

Claims 1-36, 41-46, and 50-53 stand rejected under 35 USC § 103(a) as being anticipated by Tengal et al., US 5,940,812 in view of Altman et al. U.S. 6,366,892, and Balson et al. (US 2003/0033240A1).

B. Response

1. 35 U.S.C. § 103(a) - Claims 1-36, 41-46, and 50-53

Tengal '812 was cited as disclosing a method for borrowing/lending, wherein the method involved "accepting lender data via a computer network ... the type of collateral to be used in the loan ... and what loan terms are negotiable by said prospective lenders." Altman '892 was cited for teaching a method for automating legal documents and Balson et al. '240 was cited for disclosing the types of collateral available. These references were combined under 35 U.S.C. § 103(a) to assert that applicant's claims are obvious.

In response, claims 1 and 19 are being amended with this response to include the element of evaluating the collateral on a periodic basis, which includes monitoring the collateral during the life of the loan. Support for this amendment is found in paragraph [0017] of the application as published. None of the cited references disclose periodically monitoring the collateral after the initial evaluation of collateral. Additionally, no references are cited indicating collateral evaluation during both the negotiation and the life of the loan. Accordingly it is respectfully requested these references be removed as the basis for the rejection of claims 1 and 19 and their respective dependent claims.

Claims 43 and 44 are being amended to include the limitation of the means for matching

comprising a buyer aggregate model, i.e. "groups of like users (users who are all prospective lenders or are all prospective borrowers) come together to form a virtual large lender or borrower." See paragraph [0053] of the application as published. Tengel '812 does not teach or suggest a buyer aggregation model. Specifically, none of the references teach or suggest that a virtual large lender could comprise a group of like users. Therefore claims 43 and 44 are patentable over Tengel '812 and early allowance is respectfully requested.

III. CONCLUSION

Should the Examiner have any questions, comments or suggestions in furtherance of the prosecution of the application, the Examiner is invited to contact the Applicants' representative by telephone or fax.

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Respectfully submitted,


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